

REMARKS/ARGUMENTS

Applicant responds herein to the Office Action dated April 9, 2008.

Claims 1-9 are the claims currently pending in the present application.

Claims 1, 5 and 8 are amended to clarify features recited thereby. These amendments are not believed to raise new issues that would require further searching, and therefore, are not believed not to necessitate the filing of a RCE (Request for Continued Examination) because the amendments do not add new recitations to the claims. Accordingly, the claim amendments should now be entered and considered on the merits.

Applicant thanks the Examiner for acknowledging the claim for foreign priority and receipt of the priority document in the previous Office Action. Further, applicant thanks the Examiner for acknowledging review and consideration of the references cited in the Information Disclosure Statements filed on January 14, 2004, July 13, 2005, March 15, 2006, and February 8, 2008.

Rejection of Claims 1-3 and 5-9 under 35 U.S.C. §103

Claims 1-3 and 5-9 are rejected under 35 U.S.C. §103 as being obvious from Applicant's Admitted Prior Art (AAPA) in view of McConnell (2002/0015403). Reconsideration of this rejection is respectfully requested.

Claims 1, 5 and 8 require detecting conversion-process information containing a time the conversion section spent to convert the first signal or the second signal, or an amount of data converted, and transmitting the conversion-process information to a fee-charging system.

The Office Action acknowledges that the AAPA does not disclose detecting conversion information and transmitting conversion-process information to a fee-charging system. However, the Office Action alleges that McConnell discloses such features, citing McConnell, ¶¶185 and 187.

McConnell discloses a telecommunication gateway that includes a bearer adaptation layer and an HTTP client, which may be connected by an HTTP link to an origin server or to a WTA (Wireless Telephony Application) server, and an event manager captures events, including billing events, and saves them to an event log and to a billing log (McConnell, Abstract). McConnell discloses that gateway 1 gathers "extensive billing data for each WAP [Wireless Application Protocol] request/response transaction, for example download of content, made by a subscriber, URLs visited, or time taken for download of content," that this billing data may be stored in billing log 37 and made

available to the operator's billing system (McConnell, page 9, paragraph 185), and that this data may be presented to the operator's billing system in a format that the system can easily accept so that the operator may introduce and bill for new services easily without having to make changes to the operator's existing billing system (McConnell, page 10, paragraph 187).

McConnell does not disclose or suggest detecting a time spent to convert signals. Further, McConnell does not disclose or suggest detecting an amount of data converted, as required by claims 1, 5 and 8. Further, McConnell does not disclose or suggest transmitting such information to a fee-charging system, as further required by claims 1, 5 and 8.

The Office Action alleges that, since McConnell discloses gathering billing data for each WAP transaction, e.g., download of content made by a subscriber, "[a]ny content being downloaded through the gateway must be converted in the network architecture disclosed by AAPA, therefore, McConnell's tracking of the amount of data downloaded and the time it takes to download data would include the amount of time required to convert the data as it traveled between the networks as part of the total time it would take or amount of data sent." (Office Action, pp. 9-10) (underlining added).

Applicant respectfully submits that the reasoning in the Office Action is fallacious because of its misuse of the word "include" with reference to the amount of time required to convert data. While the time it takes to download content may be monitored by McConnell, and this download time may include certain types of data conversion processings, it does not follow that McConnell discloses keeping track of conversion time. That is, if time period X includes time period Y, and McConnell discloses keeping track of time period X, it does not follow that McConnell discloses keeping track of time period Y independently of time period X. McConnell does not disclose or suggest detecting conversion-process information containing a time spent to convert the signal, as required by claims 1, 5 and 8. Further, McConnell does not disclose or suggest detecting conversion-process information containing an amount of data converted, as further required by claims 1, 5 and 8. Moreover, McConnell does not disclose or suggest transmitting such conversion-process information to a fee-charging system, as also required by claims 1, 5 and 8. Therefore, even taken together in combination, the AAPA and McConnell do not disclose or suggest the recitations of claims 1, 5 and 8.

Moreover, it is respectfully submitted that there would have been no suggestion or motivation for combining various teachings of the AAPA and McConnell to arrive at the proposed combination. McConnell and the AAPA do not disclose or suggest the problem of keeping track for billing purposes of conversion time for calls made between a first network and a second network when one of the two networks to which the calling terminal is connected has no system for charging fees on the basis of connection, as disclosed, for example, at Specification, page 5, first full paragraph. Accordingly, it is respectfully submitted that the recitations of claims 1, 5 and 8 would not have been obvious to a person of ordinary skill in the art based on the AAPA and McConnell.

Claims 2 and 3 depend from claim 1, claims 6 and 7 depend from claim 5 and claim 9 depends from claim 8. Therefore, claims 2, 3, 6, 7 and 9 are patentably distinguishable over the cited art for at least the same reasons as their respective base claims.

Rejection of Claim 4 under 35 U.S.C. §103


Claim 4 is rejected under 35 U.S.C. §103 as being obvious from the AAPA and McConnell, in view of Agrawal (2001/0046234), in further view of Jabri (2003/0027643). Reconsideration of this rejection is respectfully requested.

Agrawal and Jabri do not cure the above-discussed deficiencies of the AAPA and McConnell as they relate to the above-noted features of claim 1. Further, the Office Action does not allege that Agrawal and Jabri disclose or suggest such features. Therefore, since claim 4 depends from claim 1, it is patentably distinguishable over the cited art for at least the same reasons.

In view of the forgoing discussion, withdrawal of the rejections and allowance of the claims of the application are respectfully requested. Accordingly, the Examiner is respectfully requested to reconsider the application, allow the claims as amended and pass this case to issue.

Respectfully submitted,

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